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Dated: January 7, 2010

Electronic Signature for Colleen McKiernan, Ph.D.: /Colleen McKiernan, Ph.D./

Docket No.: 49890(48340)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jon A. Weidanz et al.

Application No.: 09/874,907

Confirmation No.: 3602

Filed: June 5, 2001

Art Unit: 1644

For: T CELL RECEPTOR FUSIONS AND
CONJUGATES AND METHODS OF USE
THEREOF

Examiner: R. B. Schwadron

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

In response to the restriction requirement set forth in the Office Action mailed December 8, 2009, Applicant hereby provisionally elects claims 81, 82, 85, 85, 102, 124, and 147-153 for continued examination. Claims 154-156 are withdrawn at this time.

The Examiner has required restriction between claims directed to a TCR portion comprising a variable α and β chain or a construct of claim 154-156 that comprises the variable α and β chain of claim 81 and further comprises a constant β chain.

The Office Action asserts that restriction is proper as the species would require a different field of search. Applicant respectfully disagrees and traverses the requirement for restriction. Although the groups of claims are patentably distinct, claim 81 is generic to claims 154-156. Upon indication that claim 81 is allowable, Applicant will request rejoinder of claims 154-156.

It is believed that there is no fee due with this response. However, if a fee is due, with this paper or any other paper filed by this firm in relation to this application, the Commissioner is hereby authorized to charge Deposit Account No. 04-1105 referencing Docket No. 49890(48340). Refund of any overpayment is respectfully requested.

Respectfully submitted,

Dated: January 7, 2010

Electronic signature: /Colleen McKiernan,
Ph.D./
Colleen McKiernan, Ph.D.
Registration No.: 48,570
EDWARDS ANGELL PALMER & DODGE
LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 517-5555
Attorneys/Agents For Applicant